BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0033

To White Design (UK) Ltd
The White House
24A St Andrews Road
Sheffield
S11 9AL

DESCRIPTION Changes to shop front, roof pitch and roof covering of foodstore occupying Site B and amendment to car park layout, removal of market kiosks and fenestration changes to renovated Town Hall building; Site C

LOCATION High Street and Market Street, Duke Street, Hoyland, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 19 January 2016 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun before 28th October 2018.

Reason: In order to comply with the provision of Section 91 of the Town & Country Planning Act 1990.

2 The development hereby approved shall be carried out strictly in accordance with the amended plans:
Location Plan Rev B (00.13.10) 02.101B Rev B,

Site A:
Existing Site Plan A (0013.10) 02.102 A, Proposed Site Plan Site A 02.119 Rev C, Car Park lighting Plan 8th Sept 2015, Tree Survey HTC05, Tree Protection Plan HTC 12,
Site B:
Existing Site Plan B 02.103 Rev A, Proposed Site Plan Site B 0010.13.02.120 Rev I, Proposed Floor Plan Site B 02.121, Proposed Elevations Site B 0010.13.02.125 Rev H, Proposed elevations (on-site materials) 0010.13.02.126 Rev H, Site Sections 0010.13.02 141 Rev C, 3D Views As Proposed 0010.13.02 143 Rev E, 3D Views onto Site 0010.13.02 147 Rev B, Sections - Boundary Levels 0010.13.02 148 Rev B, Car Park lighting Plan 8th Sept 2015
Tree Survey HTC 06, Tree Protection Plan HTC13

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed
Head of Planning and Building Control

Dated 06 April 2016

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Site C:
Existing Site Plan C 02.104, Proposed Site Plan Site C 0010.13.02.122 Rev I, Proposed Roof Plan Site C 0010.13.02.123 Rev G, Boyes Area Plans & Section 0010.13.02.124 Rev H, Proposed Elevations Site C 0010.13.02.127 Rev J, Elevations as Proposed 2 0010.13.02.128 Rev G, Proposed Elevations 3 0010.13.02.129 Rev I, Proposed Elevations 4 0010.13.02 133 Rev J, Existing & Proposed Sections 0010.13.02.130 Rev I, 3D Views as Proposed 0010.13.02.131 Rev K, 3D Aerial Views 0010.13.02 132 Rev L, Car Park lighting Plan 8th Sept 2015, Tree Survey HTC07 Tree Protection Plan: HTC14, Landscape Masterplan HTC11 and specifications within the submitted reports (Historic Environment Desk-Based Assessment ref 109240.01, Design & Access Statement May 2015, Drainage Strategy ref 38538-001, Sustainability Statement May 2015, Transport Statement JA/15936/TS/A, Phase 1 Geotechnical Site Investigation ref 38538-001 as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

3 No development (above damp course level) shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. A sample panel of the materials shall be erected on site and the development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

5 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.

Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

6 Within 3 months of the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:
- Measures to control waiting on Mallin Croft;
- Kerb radii improvement at the junction of High Street/Market Street;
- Provision of a zebra crossing on High Street;
- Provision of waiting restrictions on High Croft;
- Provision of waiting/loading restrictions on Market Street;
- Extension of the 20mph speed limit on Market Street;
- Provision of waiting restrictions on Duke Street;
- Provision of loading restrictions on the one way gyratory namely Southgate/ Milton Road/ High Street/ King Street;

- Provision of Off Street Parking Place Order on Sites A and C;
- Provision of a pedestrian crossing on West Street at the entrance to the car park;
- Provision of/any necessary alterations to street lighting;
- Provision of/any necessary alterations to highway drainage;
- Any necessary signing/lining;
- Any necessary resurfacing/reconstruction.

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.

7 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

8 Vehicular and pedestrian gradients within the site shall not exceed 1:12.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

9 No construction shall take place until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a safe and adequate highway network, in accordance with Core Strategy Policy CSP 26.

10 No construction shall take place until details of all highway retaining structures, including specification and calculations, shall have been submitted to and approved in writing by the Local Planning Authority, and the development shall then be carried out in strict accordance with the approved details.

Reason: To ensure that the highway is appropriately retained in the interests of safety in accordance with Policy CSP26 New Development and Highway Improvement.

11 Prior to the occupation of the development a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.

Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.

12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.

13 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

14 The development shall not be brought into use until a service yard management plan (including measures to control noise and disturbance) and a car park management plan has been submitted and approved in writing by the Local Planning Authority for Site B. The approved plans shall then be strictly adhered to thereafter.

Reason: In the interests of amenities of local residents and highway safety in accordance with Core Strategy Policies CSP26 & CSP 40.

15 The development shall not be brought into use until a markets car park management plan has been submitted and approved in writing by the Local Planning Authority. The approved plan shall then be strictly adhered to thereafter

Reason: In the interests of amenities of local residents and highway safety in accordance with Core Strategy Policies CSP26 & CSP 40.

16 Development shall not commence until details of measures to control the one way system in the car park on Site A have been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be provided prior to the development being brought into use and shall be retained thereafter.

Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP26.

17 Upon commencement of development, full details of both hard (materials for walls, surfaces, furniture & Boundary treatments) and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall include any element of furniture and shall be implemented prior to the occupation of the building.

Reason: In the interests of the visual amenities of the locality.

18 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.

Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

19 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

20 Deliveries to the foodstore located within site B shall be only take place between the hours of 0700 & 2100hrs Monday to Saturday and 0900 & 1800 on Sundays and Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

21 Within 3 months of the commencement of development full details of the measures of biodiversity enhancement across all 3 sites including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

22 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:
(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;
(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;
Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.

Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

24 Prior to the completion of the market and retail units on site C the design of the public Clock to be erected on the former Town Hall shall be submitted to the Local Planning Authority for approval in writing. The approved clock shall be installed in accordance with a timetable to be agreed.

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

25 The glazing within the approved kiosks shall be kept clear and transparent at all times.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

26 Prior to occupation of the building/commencement of the use, full details of the proposed refuse and recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a method statement indicating how the facilities will be managed and serviced and how occupiers of the proposed development will be encouraged to maximise the use of the proposed recycling facilities to reduce general waste arisings. Prior to the occupation of the building/commencement of the use, the approved facilities shall have been implemented in conjunction with the approved method statement and shall thereafter be retained.

Reason: In the interests of encouraging recycling and visual amenity in accordance with Core Strategy Policy CSP 40.

27 Prior to the occupation of any of the approved buildings a scheme describing the methodology to be employed to control litter and minimise waste from being deposited in the street shall have been submitted to and approved in writing by the Local Planning Authority. Such scheme shall, amongst other matters, provide details of the packaging to be used, any litter bins to be provided and any signage to be displayed on the premises advising customer of the need to dispose of litter in appropriate litter bins or other facilities. Any litter bins or other facilities provided pursuant to the requirements of this condition shall be retained and maintained for the duration of the development and the use shall operate in complete accordance with the approved scheme.

Reason: In the interests of the visual amenity of the locality in accordance with Core Strategy Policy CSP 40.

28 The approved acoustic fence to the boundary of site B shall be fully installed prior to the commencement of use of the approved foodstore. The acoustic fence shall be retained thereafter.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

29 The foodstore herby permitted on 'site B' shall be open to trade with the public only between the hours of 08.00 to 22.00 Monday to Saturday and 09.00 to 21.00 on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

30 No development shall take place, including any groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
The programme and method of site investigation and recording.
The requirement to seek preservation in situ of identified features of importance.
The programme for post-investigation assessment.
The provision to be made for analysis and reporting.
The provision to be made for publication and dissemination of the results.
The provision to be made for deposition of the archive created.
Nomination of a competent person/persons or organisation to undertake the works.
The timetable for completion of all site investigation and post-investigation works.
Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

31 Prior to any demolition works commencing on St Andrews Church Hall a full photographic survey shall be undertaken of the building (both internally and externally) details of which shall be submitted to the Local Planning Authority. Should it transpire that the building supports any commemorative plaques these shall be retained and stored in accordance with a scheme to be submitted for approval in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: To safeguard the special architectural or historic interest of the building in accordance with Core Strategy policy CSP 30 The Historic Environment.

32 The existing decorative gates serving the present Open Market shall not be removed until approval for their relocation elsewhere within Hoyland Centre (including a timetable of works) has been granted in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: In the interests of local amenity in accordance with saved UDP policy BE7 Public Art and Core Strategy policy CSP 30 The Historic Environment.

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

1 The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on website at:
www.gov.uk/government/organisations/the-coal-authority

2 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

3 The developer should contact Highways & Engineering tel 01226 773555 prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway

4 The developer should be advised that section 167 Highways Act 1980 applies to all retaining walls adjacent to highway, and necessary constructions details and calculations must be approved prior to any development commencing on site.

5 The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Core Strategy and saved policies of the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

Core Strategy Polices
CSP1 Climates Change
CSP2 Sustainable Construction
CSP3 Sustainable Drainage Systems
CSP4 Flood Risk
CSP5 Including Renewable Energy in Developments
CSP8 The Location of Growth
CSP25 New Development and Sustainable Travel
CSP26 New Development and Highway Improvement
CSP27 Parking Strategy
CSP29 Design
CSP30 The Historic Environment
CSP31 Town Centres
CSP 35 Green Space
CSP 36 Biodiversity and Geodiversity
CSP40 Pollution Control and Protection
CSP43 Educational Facilities and Community Uses

Saved UDP Policies
S1 'Shopping/Commercial Centres'
TC1 - 'Development of the Defined Central Shopping Area'
TC20 - Design and Materials'
SPDs/SPGs
SPD Parking

NPPF
Chapter 1 Building a strong, competitive economy
Chapter 2 Ensuring the vitality of town centres
Chapter 4 Promoting sustainable travel
Chapter 7 Requiring good design
Chapter 10 Meeting the challenge of climate change
Chapter 12 Conserving and enhancing the historic environment

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

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